

AMENDED IN ASSEMBLY APRIL 1, 2013
AMENDED IN ASSEMBLY MARCH 14, 2013
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 405

Introduced by Assembly Member Gatto

February 15, 2013

An act to amend Section 149 of, and to add and repeal Section 149.2 of, the Streets and Highways Code, relating to highways.

LEGISLATIVE COUNSEL'S DIGEST

AB 405, as amended, Gatto. Highways: high-occupancy vehicle lanes: County of Los Angeles.

Existing law authorizes the Department of Transportation; to designate certain lanes for the exclusive or preferential use of high-occupancy vehicles. When those exclusive or preferential use lanes are established and double parallel solid lines are in place to the right thereof, existing law prohibits any person driving a vehicle from crossing over those double lines to enter into or exit from the lanes, and entrance or exit from those lanes is authorized only in areas designated for these purposes or where a single broken line is in place to the right of the lanes, except as specified.

The

~~This bill would permit the department to establish or modify existing high-occupancy vehicle lanes in the County of Los Angeles to provide continuous access to high-occupancy vehicles. The bill would prohibit the department from converting an existing mixed-flow lane in the County of Los Angeles into a high-occupancy vehicle lane.~~

This bill would prohibit, ~~until June 1, 2014~~ *commencing July 1, 2014*, any high-occupancy vehicle lane from being established on specified *portions of* state highway routes in the County of Los Angeles, unless that lane is established as a high-occupancy vehicle lane only during the hours of heavy commuter traffic, as determined by the department. This bill would require any existing high-occupancy vehicle lane established ~~at on the specified location~~ *portions of these routes* to be modified to conform with those requirements. *This bill would authorize the department, on or after May 1, 2015, to reinstate 24-hour high-occupancy vehicle lanes on the specified portions of these routes if the department makes a specified determination.* This bill would require the department to report to the Legislature on the impact on traffic by limiting the use of high-occupancy lanes as provided in the bill.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 149 of the Streets and Highways Code
- 2 is amended to read:
- 3 149. (a) The department may construct exclusive or preferential
- 4 lanes for buses only or for buses and other high-occupancy
- 5 vehicles, and may authorize or permit exclusive or preferential use
- 6 of designated lanes on existing highways that are part of the State
- 7 Highway System. Prior to constructing those lanes, the department
- 8 shall conduct competent engineering estimates of the effect of the
- 9 lanes on safety, congestion, and highway capacity.
- 10 (b) To the extent they are available, the department may apply
- 11 for and use federal funds appropriated for the design, construction,
- 12 and use of those exclusive or preferential lanes, but may also use
- 13 other State Highway Account funds, including other federal funds,
- 14 for those purposes where proper and desirable.
- 15 ~~(c) Notwithstanding any other law, the department may establish~~
- 16 ~~or modify existing high-occupancy vehicle lanes in the County of~~
- 17 ~~Los Angeles to provide continuous access to buses and other~~
- 18 ~~high-occupancy vehicles.~~
- 19 ~~(d)~~

1 (c) Notwithstanding any other law, the department shall not
2 convert an existing mixed-flow lane in the County of Los Angeles
3 into a high-occupancy vehicle lane, unless required by federal law.

4 (e)

5 (d) This section shall be known and may be cited as the Carrell
6 Act.

7 SEC. 2. Section 149.2 is added to the Streets and Highways
8 Code, to read:

9 149.2. (a) Notwithstanding any other law, a high-occupancy
10 vehicle lane shall not be established on State Highway Route 134
11 between State Highway Route 170 and State Highway Route 5,
12 or on State Highway Route 210 between State Highway Route
13 134 and State Highway Route 57, ~~or on any other state highway~~
14 ~~route within the County of Los Angeles, as determined by the~~
15 ~~department,~~ unless the lane is established as a high-occupancy
16 vehicle lane only during the hours of heavy commuter traffic, as
17 determined by the department.

18 (b) Any existing high-occupancy vehicle lane located as
19 described in subdivision (a) shall be modified as necessary to
20 conform with subdivision (a).

21 (c) (1) The department shall report to the Legislature on or
22 before ~~July 1, 2015~~ *January 1, 2016*, on the impact on traffic by
23 limiting the use of high-occupancy vehicle lanes during the hours
24 of heavy commuter traffic as provided in subdivision (a).

25 (2) The requirement for submitting a report imposed under
26 paragraph (1) is inoperative on ~~October 1, 2019~~ *January 1, 2020*,
27 pursuant to Section 10231.5 of the Government Code.

28 (3) A report to be submitted pursuant to paragraph (1) shall be
29 submitted in compliance with Section 9795 of the Government
30 Code.

31 (d) On or after ~~November 1, 2014~~ *May 1, 2015*, if the department
32 determines that there is an adverse impact on safety, traffic
33 conditions, or the environment by limiting the use of
34 high-occupancy vehicle lanes during the hours of heavy commuter
35 traffic as provided in subdivision (a), the department may submit
36 to the Legislature a notice of that determination and intent to
37 reinstate 24-hour high-occupancy vehicle lanes.

38 (e) *In addition to the routes identified in subdivision (a), the*
39 *department is encouraged to introduce offpeak hours on other*

1 *high-occupancy vehicle lanes in the County of Los Angeles in order*
2 *to provide greater mobility benefits to the community.*

3 *(f) This section shall become operative on July 1, 2014.*

4 ~~(e)~~

5 *(g) This section shall remain in effect until ~~no less than~~ 60 days*
6 *after the date the Legislature receives the notice described in*
7 *subdivision (d) and is repealed thereafter.*